

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

DARIUS L. POWELL,)
)
Plaintiff,)
)
VS.) No.
)
NATIONWIDE MUTUAL FIRE)
INSURANCE COMPANY,)
)
Defendant.)

NOTICE OF REMOVAL

Defendant, Nationwide Mutual Fire Insurance Company, hereby notifies the Judges of the United States District Court for the Middle District of Tennessee, the clerk of the Circuit Court of Davidson County, Tennessee and Darius L. Powell, that the action described herein and filed in the Circuit Court of Davidson County, Tennessee, is removed to the United States District Court for the Middle District of Tennessee, pursuant to 28 U.S.C. § 1441.

1. On January 27, 2016, Plaintiff, Darius L. Powell, filed a civil action bearing Docket No. 16C256, against the Defendant Nationwide Mutual Fire Insurance Company, in the Circuit Court of Davidson County, Tennessee. Service of the complaint and summons was made upon the Commissioner of Insurance for the Defendant on February 2, 2016, by Deputy Chris Prater by personal service.

2. This action is filed by Plaintiff for proceeds allegedly due under a contract of insurance written by Defendant Nationwide Mutual Fire Insurance Company, insuring

Plaintiff's residence and contents in Davidson County, Tennessee, which property was allegedly suffered loss on or about December 17, 2014.

3. Petitioner seeks removal of this action to this Court upon the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-five Thousand Dollars (\$75,000.00), exclusive of the interest and costs, 28 U.S.C. § 1332. Specifically, the complaint alleges damages in the amount of \$800,000.00.

4. Plaintiff is a resident and citizen of the State of Tennessee and was a citizen of the State of Tennessee at the time of the filing of this action and at the time of removal. Defendant, Nationwide Mutual Fire Insurance Company, is a corporation incorporated in Ohio, with its principal place of business in Columbus, Ohio, Franklin County. The amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs.

5. This notice is filed within the time prescribed by 28 U.S.C. §1446(b).

6. A copy of the Summons and Complaint, being all the papers served upon the Defendant, is attached hereto.

WHEREFORE, Notice is hereby given that the said civil action number 16C256 is removed from the Circuit Court of Davidson County, Tennessee, to this Court.

Respectfully submitted,

RAINEY, KIZER, REVIERE & BELL, P.L.C.

s/Russell E. Reviere
Russell E. Reviere (07166)
Attorney for Defendant
209 East Main Street
P. O. Box 1147
Jackson, TN 38302-1147
(731) 423-2414

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of this pleading or document was served upon counsel for each of the parties by mailing postage prepaid or by delivery to the person or office of such counsel.

This the 25th day of February, 2016.

s/ Russell E. Reviere